



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/646,177

08/22/2003

David M. Bohannon

102404-200

9089

27267

7590

04/06/2009

WIGGIN AND DANA LLP
ATTENTION: PATENT DOCKETING
ONE CENTURY TOWER, P.O. BOX 1832
NEW HAVEN, CT 06508-1832

EXAMINER

CARTER, CANDICE D

ART UNIT

PAPER NUMBER

3629

MAIL DATE

DELIVERY MODE

04/06/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/646,177	Applicant(s) BOHONNON, DAVID M.	
	Examiner CANDICE D. CARTER	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 14 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Following is a Final Office Action in response to communications received on January 14, 2009. Claims 1, 2, 6, and 12 have been amended. No claims have been cancelled. No new claims have been added. Therefore, claims 1-15 are pending and have been addressed below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-6 and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mini et al. (6,684,196, hereinafter Mini) in view of Shenoy et al. (2002/0040304, hereafter Shenoy) and further in view of Salzmann et al. (6,711,554, hereafter Salzmann).**

As per claims 1 and 2, Mini discloses “A system for tracking and monitoring activities related to a sales transaction for an object of value, the system comprising:

at least one client device operable by at least one of a plurality of users of the system” (See Fig. 26 and 27);

“at least one centralized data store for storing information that includes data identifying the object of value, the plurality of users of the system, activities related to the sales transaction and a plurality of documents for completing the sales transaction” (col. 3, line 29-31 discloses a database associated with the centralized transaction

Art Unit: 3629

manager and col. 6 line 59-col. 7, line 13 discloses storing information about the house and activities related to the house and Fig. 11, element 1118 discloses storing documents);

“and a controller, operatively coupling the at least one client device and the at least one centralized data store, the control or selectively providing access to information stored in the data store for tracking and monitoring the activities performed and documents created, reviewed and completed by parties to the sales transaction” (col. 5, line 23-36 discloses a website that selectively provides access to the system and systems database by use of a log on procedure),

“said access being provided via a first user interface providing information for monitoring a status of the sales transaction, and deadlines pertaining to the sales transaction” (col. 3, line 54-57 discloses a transaction manager providing accessibility to information so that the buyer and seller may check on the status of the transaction).

“a second user interface providing access to data regarding the object, the data including a government registration number for the object and manufacturer's data for the object” (claims 6-8 disclose providing information corresponding to the property).

Examiner considers the government registration number for the object and the manufacturer's data to be nonfunctional descriptive material. The type of information that the user interface provides access to does not change the function of the claimed invention. Examiner asserts that the interface is fully capable of providing access to any type of information.

“a third user interface providing access to a database including information from a third party relating the object’ (col. 10, line 33-47 discloses providing access to a variety of home listing databases, where this information contained within these databases come from third parties),

“and a fourth user interface providing documents for completing the sales transaction” (col. 3, line 58-67 discloses making the documents available for perusal),

“a fifth user interface providing access to the documents by a user performing at least one of a government registration service and a mortgage perfection service for the object” (col. 3, line 54-67 discloses providing access to real estate documents associated with the transaction).

Examiner considers a user performing at least one of a government registration service and a mortgage perfection service for the object to be intended use recitation. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

“wherein a single entry of data relating to the sales transaction, performed using said client device, is effective to distribute said data to specified fields of the plurality of documents” (col. 3, line 33-36 discloses populating forms and documents with information input by the user about the transaction).

Mini, however, fails to explicitly disclose providing descriptions of the documents; a first user interface displaying a graphical illustration of activities and/or documents

Art Unit: 3629

required to complete the sales transaction, an estimated dues date pertaining to each of said activities and/or documents, an actual completion date pertaining to each of said activities and/or documents, and closing information including an estimated closing date, closing location and summary of disbursements; a fifth user interface including a notification engine for providing messages to the parties of the sales transaction corresponding to the activities and documents of the transaction, said messages including an advanced notification regarding a warranty registration provided to a manufacturer of the object; and the object of values is comprised of one of a yacht, boat, ship, marine vessel, aircraft, motor vehicle, and other transportation vehicles for personal, commercial and/or recreation use.

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the online real-estate transactions of Mini to include providing descriptions of the documents because it is old and well known to display documents with a title or some sort of descriptive information associated with them in order to communicate to those viewing the documents what type of documents they are.

Shenoy discloses methods and systems for creating and managing capital asset business exchanges displaying a graphical illustration of activities and/or documents required to complete the sales transaction, an estimated dues date pertaining to each of said activities and/or documents, an actual completion date pertaining to each of said activities and/or documents, (Fig. 66 and ¶ 224-227 discloses a display of tasks and their respective due dates and completion dates);

a notification engine for providing messages to the parties of the sales transaction corresponding to the activities and documents of the transaction (§ 22 discloses generating an email notification to parties responsible for a task).

Examiner considers, what specifically is in the message to be nonfunctional descriptive material. The specific content of the message does not change the function of the claimed invention. Examiner asserts that the system of Shenoy is fully capable of generating an email containing any type of message;

and the object of value is a boat/marine vessel (see § 102).

Therefore it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system of Mini to include the display of task due dates and completion dates as well as the email generation for sending messages to parties involved in a transition and the object of value being a boat as taught by Shenoy in order to permit a user may view a schedule relating to the transaction and receive updated information regarding the transaction and to monitor activities related to transactions involving boats.

Salzmann discloses a method and system for managing and preparing documentation for real estate transactions displaying closing information including an estimated closing date and closing location (col. 1, line 60-col. 2, line 4 discloses keeping track of what closings are taking place on a particular date or in a particular location and Fig. 16 discloses a closing schedule screen);

and summary of disbursements (Fig. 19 discloses a HUD-1, Page 1 screen that displays a summary of transactions).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system of Mini to include the closing information and the summary of disbursements as taught by Salzmann since such would provide a user with access to pertinent information regarding the transaction.

As per claim 3, Mini discloses "said user interfaces providing a graphical representation of the sales transaction and the plurality of activities and documents" (See Fig. 22 and col. 4, line 49-64 discloses a website for facilitating the use of the transaction manager, where a website is a graphical representation).

As per claim 4, Mini discloses "the graphical representation further includes information regarding a current status of the activities and documents" (Fig. 22 displays a status column and column 3, line 57-58 discloses checking on the status of the transaction and Fig. 6 discloses checking the status of a transaction).

As per claim 5, Mini discloses "the current status includes one of pending, closed, and aborted" (Fig. 22 displays a status column showing the statuses for the homes listed as "available", where an available status is a pending status).

As per claim 6, Mini discloses all of the elements of the claimed invention but fails to explicitly disclose "the controller further includes a notification engine providing messages to the parties to the sales transaction corresponding to the activities and documents of the transaction."

Shenoy discloses a notification engine for providing messages to the parties of the sales transaction corresponding to the activities and documents of the transaction (¶ 22 discloses generating an email notification to parties responsible for a task).

Examiner considers, what specifically is in the message to be nonfunctional descriptive material. The specific content of the message does not change the function of the claimed invention. Examiner asserts that the system of Shenoy is fully capable of generating an email containing any type of message.

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system of Mini to include the notifications as taught by Shenoy so that parties may be aware of pertinent information regarding the sales transaction.

As per claim 7, Mini discloses “an interface between the controller and an external data source including information related to the object of value” (col. 10, line 33-47 discloses retrieving home information from outside databases such as MLS or realtor.com, where these databases are external databases).

As per claim 8, Mini discloses “the plurality of users includes at least one of a dealer or broker, an escrow agent, a documentation agent, a buyer or seller of the object, a manufacturer or builder of the object, a wholesale finance or floor plan provider, a retail bank or financial institution, an insurance underwriter, agent or broker, a marine surveyor and a system administrator or closing coordinator” (col. 5, line 30 discloses buyers, sellers, and agents who are clients of the system).

As per claim 9, Mini discloses “said external data source is searchable.” (col. 10, line 33-47 discloses searching the databases).

As per claim 10, “said information is necessary to complete said sales transaction” (col. 10, line 33-47 discloses retrieving home information from outside

Art Unit: 3629

databases such as MLS or realtor.com, where these databases are external databases that contain information that is necessary to complete a home sale transaction).

As per claim 11, Mini discloses “data store is a repository of data and has archival and retrieval functionality” (col. 6, line 67-col. 7, line 13 discloses storing information in the system database and retrieving the information to populate documents).

4. Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mini in view of Rose (6,067,064) and further in view of Shenoy.

As per claim 12, Mini discloses “A system for tracking and monitoring activities related to a sales transaction for an object of value, the system comprising:

at least one client device operable by at least one of a plurality of users of the system” (See Fig. 26 and 27);

“at least one centralized data store for storing information that includes data identifying the object of value, the plurality of users of the system, activities related to the sales transaction and a plurality of documents for completing the sales transaction” (col. 3, line 29-31 discloses a database associated with the centralized transaction manager and col. 6 line 59-col. 7, line 13 discloses storing information about the house and activities related to the house);

“and a controller, operatively coupling the at least one client device and the at least one centralized data store, the control or selectively providing access to information stored in the data store for tracking and monitoring the activities performed and documents created, reviewed and completed by parties to the sales transaction”

Art Unit: 3629

(col. 5, line 23-36 discloses a website that selectively provides access to the system by use of a log on procedure)",

Mini, however, fails to explicitly disclose "a user interface providing access to a database including information from a third party, said information including registration information from a government agency regarding the object"; and a notification engine for providing an advanced notification regarding a warranty registration provided to a manufacturer of the object.

Rose discloses a system for verifying and tracking the title of articles or objects of value providing access to registration information from a government agency (Fig. 1B displays an external database entity for the DMV where the DMV is a government agency).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for tracking real estate transactions of Mini to include the access to registration information from a government agency as taught by Rose since such would ensure that all information is up to date and accurate.

Shenoy discloses a notification engine for providing messages to the parties of the sales transaction corresponding to the activities and documents of the transaction (¶ 22 discloses generating an email notification to parties responsible for a task).

Examiner considers, what specifically is in the message to be nonfunctional descriptive material. The specific content of the message does not change the function

Art Unit: 3629

of the claimed invention. Examiner asserts that the system of Shenoy is fully capable of generating an email containing any type of message.

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system of Mini to include the notifications as taught by Shenoy so that parties may be aware of pertinent information regarding the sales transaction.

As per claim 13, Mini discloses all of the elements of the claimed invention but fails to explicitly disclose “the object of value is comprised of a marine vessel”.

Rose discloses a system for verifying and tracking the title of articles or objects of value that tracks boats (see abstract).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the online real estate transactions of Mini to include the tracking of boats as taught by Rose since such would maintain relevant data for all necessary parties involved in a marine vessel transaction.

As per claim 14, the Mini and Rose combination discloses all of the elements of the claimed invention but fails to explicitly disclose “registration information comprises official information maintained by the U.S. Coast Guard”.

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the online real estate transactions of the Mini and Rose combination to include the official information maintained by the U.S. Coast Guard because it is old and well known for the U.S. Coast Guard to maintain registration

Art Unit: 3629

information about marine vessels in order to keep a record of all boats that are registered with the Coast Guard.

As per claim 15, Mini discloses all of the elements of the claimed invention but fails to explicitly disclose “registration information is necessary to complete said sales transaction”.

Rose discloses a system for verifying and tracking the title of articles or objects of value having registration information that is necessary to complete the sales transaction (col. 2, line 27-28 discloses issuing new registration plates and related documents every time ownership changes, where the completion of a sales transaction includes a change in ownership).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the online real estate transactions of Mini to include the registration information necessary to complete the sales transaction in order to facilitate the transfer of ownership.

Response to Arguments

5. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 3629

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CANDICE D. CARTER whose telephone number is (571) 270-5105. The examiner can normally be reached on Monday thru Thursday 7:30am- 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. D. C./
Examiner, Art Unit 3629

/JOHN G WEISS/
Supervisory Patent Examiner, Art Unit 3629